

**RECEIVED  
CENTRAL FAX CENTER****JUL 09 2007****SCHEINBERG & GRINER, LLP**P. O. Box 164140  
Austin, Texas 78716-4140Telephone: (512) 637-0800  
Facsimile: (512) 306-1963**MICHAEL O. SCHEINBERG**  
Direct: (512) 328-9510  
mscheinberg@sgnlaw.com

July 9, 2007

**Fax****Name:** Examiner Sean M. Sprigg  
**Art Unit:** 3714  
**Organization:** United States Patent and Trademark Office  
**Fax:** 1-571-273-8300**From:** Michael O. Scheinberg  
PO Box 164140  
Austin, TX 78716-4140**Phone:** (512) 637-0800**Fax:** (512) 306-1963**Date:** July 9, 2007**Subject:** Request for Continued Examination and Response to Final Office  
Action dated January 9, 2007**Docket No.:** MOD033**Pages:** 16 pages (including this coversheet)**APPLICATION No.:** 10/606,100      **ART UNIT:** 3714  
**FILING DATE:** June 25, 2003      **EXAMINER:** Sean M. Sprigg  
**INVENTOR(S):** James Michael Odom and Scott D. Yelich  
**TITLE:** Method of Lottery Wagering on a Real World Phased Competition

In connection with the above-identified patent application, applicants submit the following:

1. RCE (1 p)
2. Fee Transmittal (in duplicate) (1 p);
3. Petition to 3 Month Extension of Time (in duplicate) (1 p);
4. PTO-2038 Credit Card Form (1 p); and
5. Response to Final Office Action (8 pp).

Michael O. Scheinberg  
Patent Reg. No.: 36,919

**CONFIDENTIALITY NOTICE:** Unless otherwise indicated or obvious from the nature of the transmittal, the information contained in this facsimile message is attorney privileged and confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender by telephone and return the original message to SCHEINBERG & GRINER, LLP at the above address via the U.S. Postal

PTO/SB/17 (08-07)

Approved for use through 06/30/2007, OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL**  
For FY 2007☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 905.00

**Complete If Known**

Application Number	10/606,100
Filing Date	June 25, 2003
First Named Inventor	James Michael Odom
Examiner Name	Sean M. Sprigg
Art Unit	3714
Attorney Docket No.	MOD033

**RECEIVED**  
**CENTRAL FAX CENTER**  
**JUL 09 2007**
**METHOD OF PAYMENT (check all that apply)**
☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 50-1635 Deposit Account Name: Michael O. Scheinberg

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)  
 Each independent claim over 3 (including Reissues)  
 Multiple dependent claims

Fee (\$)	Small Entity Fee (\$)
50	25
200	100
360	180

<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
---------------------	---------------------	-----------------	----------------------

_____ - 20 or HP = _____ x _____ = _____	<b>Multiple Dependent Claims</b>
--	----------------------------------

HP = highest number of total claims paid for, if greater than 20.	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
---	-----------------	----------------------

<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
----------------------	---------------------	-----------------	----------------------

_____ - 3 or HP = _____ x _____ = _____	
---	--

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
---------------------	---------------------	---	-----------------	----------------------

_____ - 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____	
---	--

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Petition for 3 Month Ext. Fee and Request for Continued Exam Fee **905.00****SUBMITTED BY**

Signature	<i>Michael O. Scheinberg</i>
Name (Print/Type)	Michael O. Scheinberg

Registration No. (Attorney/Agent)	38,919
-----------------------------------	--------

Telephone	(512) 637-0800
-----------	----------------

Date	July 9, 2007
------	--------------

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/17 (06-07)

Approved for use through 06/30/2007. OMB 0851-0032  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL**  
**For FY 2007**☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 905.00

**Complete if Known**

Application Number	10/606,100
Filing Date	June 25, 2003
First Named Inventor	James Michael Odom
Examiner Name	Sean M. Sprigg
Art Unit	3714
Attorney Docket No.	MOD033

**RECEIVED**  
**CENTRAL FAX CENTER**  
JUL 09 2007**METHOD OF PAYMENT (check all that apply)**☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):☒ Deposit Account Deposit Account Number: 50-1635 Deposit Account Name: Michael O. Scheinberg

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2035.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
--------------	--------------	----------	---------------

- 20 or HP =  $\frac{\text{Total Claims} - 20}{\text{HP}}$  x Fee (\$)

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
---------------	--------------	----------	---------------

- 3 or HP =  $\frac{\text{Indep. Claims} - 3}{\text{HP}}$  x Fee (\$)

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
--------------	--------------	--	----------	---------------

- 100 =  $\frac{\text{Total Sheets} - 100}{50}$  (round up to a whole number) x Fee (\$)**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Petition for 3 Month Ext. Fee and Request for Continued Exam Fee

805.00

**SUBMITTED BY**

Signature

*Michael O. Scheinberg*Registration No. 36,919  
(Attorney/Agent)

Telephone (512) 637-0800

Date July 9, 2007

Name (Print/Type) Michael O. Scheinberg

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9198 and select option 2.